

# Local Government Employee-Management Relations Board E-Newsletter

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## Members of the Board

Philip E. Larson, Chairman

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Sandra Masters, Board Member

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Bruce K. Snyder, Commissioner

Yvonne V. Martinez, Board Secretary

## On the Horizon

The next meeting of the Board will be held on September 9-10 in Reno. This will be followed by a one-day meeting on September 11<sup>th</sup> in Carson City as the Board will be hearing various cases located in that part of the state.

The agenda for these meetings, which will be finalized on September 2<sup>nd</sup>, may at that time be viewed on our website at [www.emrb.state.nv.us](http://www.emrb.state.nv.us). Friday, August 29<sup>th</sup> will be the deadline for the submission of any documents for those meetings.

## New Website to Go Live September 2<sup>nd</sup>

The agency's new website is planned to go live on September 2<sup>nd</sup>. We want to thank everyone for their suggestions these past several months.

We hope you take the time to go to [www.emrb.state.nv.us](http://www.emrb.state.nv.us) and look around at its various features. You will find familiar items that have been carried over from our prior website, such as agendas for upcoming meetings, the minutes of prior meetings, and how to contact us. Also carried over from the prior website is the text of our statute and our regulations.

But our new website will have so much more. For instance, it will contain a document detailing our current docket of cases, called our Open Case Log. Through this document you will be able to see both the number of cases currently pending before the agency as well as the status of each case.

Our new website will also contain copies of our e-newsletters, press releases, and links to other labor-related websites. It will also provide answers to frequently asked questions, which will grow over time as new questions are posed to the agency.

But there is more yet to come!! This fall, when all the local governments and employee organizations file their annual reports with us we will place this information on our website so that the information is readily available to all. At that time we will also include on our website current copies of all collective bargaining agreements. This will make it easy for you to look up similar provisions in other CBA's – in order to compare benefits or else to find that elusive perfect language already drafted by someone else.

## Inside This Issue

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## Website to Go Live (cont'd)

Finally, and most importantly, we are in the process of loading original copies of all our orders. Right now the website has all orders from Item No. 650 to the present. Over the next few months we will be loading the remainder of the orders – all the way back to Item No. 1. These will not be searchable. However, by the end of the year we also hope to have our Index of Decisions, which was last released in 2008, updated and loaded onto our website. The indexes in this tool are not only being updated but are being converted to spreadsheets. With this tool you will be able to download the index (actually many indexes) and search them to your heart's content to find the cases necessary for your legal arguments.

Please let us know what improvements you would like to see to the website – as we consider it to be your website and we want it to serve your needs! It is a work in progress – we recognize that – but we hope to never lose sight of the fact that it should always be a work in progress that will continually improve to meet your needs.

## Did you know

**that the National Labor Relations Act does not have jurisdiction over public sector entities such as local governments? That is why Nevada, like most states, has created an entity similar to the NLRB to fill in the gaps. In Nevada we are that agency – the Local Government Employee-Management Relations Board or EMRB. We were created in 1969. As our name implies, our jurisdiction is limited to resolving labor disputes between local governments, employee organizations who represent their employees, and individual employees. Our three-person Board, appointed by the Governor and supported by a Commissioner and Board Secretary, sits as a body to resolve those disputes.**

## Under Construction



In addition to our new website, we have other projects in the works to improve the agency. First, we want to make our orders as accessible to you as possible. So in addition to loading them all onto our website, we have also worked with the Legislative Counsel Bureau to have them appear on the next release of the Nevada Library on CD, which will come out sometime next year. To date we have sent them all the orders from 2000 to the present and we plan on sending them the rest of the orders – all the way back to 1969 – in the next few months. As with all the other information on this product, these orders will be fully searchable.

Secondly, as described above, we are updating our Index of Decisions – both to bring it up-to-date and to make this series of documents searchable and sortable by electronically bringing the document to you. This is a lot of work to do. Despite this we hope to have this project done in the next few months.

Finally, last month we asked for comments on allowing the electronic filing of documents. All those who responded loved the idea. We will be having a regulations workshop in October on this and other ideas to streamline the process – such as allowing the Commissioner to approve extensions of time. The notice for the workshop will be issued in a few weeks so watch for it!

## In the Queue...

Once initial pleadings, including pre-hearing statements, have been filed with the EMRB and after any motions to dismiss or defer have been decided, then a case typically goes into a queue, waiting for the Board to decide whether to grant a hearing in the case or dismiss the complaint. Below is a description of the current queue:

In September, the Board is scheduled to be up north. At that time it will hear A1-046098, Washoe County Principals Assn. v. Washoe County School District in Reno (September 9 & 10) and A1-046105, Douglas County Support Staff Assn. v. Douglas County School District in Carson City (September 11).

On October 14-16, the Board will be back in Las Vegas to hear A1-046091, Jarod Barto et al v. City of Las Vegas, a case involving a number of probationary firefighters who were non-confirmed.

On November 12-14, the Board will meet in Las Vegas and hear two consolidated cases, A1-046054 & A1-046080, involving the North Las Vegas Police Supervisors Association and the City of North Las Vegas.

On December 9-11, the Board will continue the hearing in the 18 consolidated cases involving various physicians at University Medical Center in their dispute with SEIU, Local 1107 and SEIU International.

The following cases are waiting for the Board to deliberate and decide on the status of the case, including, but not limited to, dismissal of the case or the granting of a hearing on the complaint. Please note that the order listed below is not necessarily the order in which the cases will be heard:

### In Las Vegas:

- A1-046102, North Las Vegas Police Supv. v. City of North Las Vegas
- A1-046106, Michael Turner v. Clark County School District
- A1-046108, Las Vegas City Employees Assoc. & Val Sharp v. City of Las Vegas
- A1-046109, Nicholas Eason v. Clark County
- A1-046113, ESEA & POA of CCSD v. Clark County School District
- A1-046116, David O'Leary v. Las Vegas Metropolitan Police Department
- A1-046118, Sherri Davis v. Clark County School District
- A1-046120, IAFF, Local 1908 v. Clark County

### In Northern Nevada:

- A1-046068, Elko County Employees Association v. Elko County

## Practice Tips

We are often asked how we operate. Unlike some government agencies, we do not investigate the validity of a complaint. Rather, the EMRB operates much like a court. A complaint is filed, which looks much like a complaint that would be filed with a court. The respondent then files an answer to the complaint or a motion to dismiss. If a motion to dismiss is filed, then an opposition and reply are filed and the motion is resolved by the Board. If denied, then pre-hearing statements are filed. Later a pre-hearing conference is held with the Commissioner and in the future a settlement conference would be held. The final step is a hearing in which witnesses are called and exhibits introduced. Closing arguments are then made either orally or in writing. Finally the Board deliberates and makes a decision, resulting in the issuance of an order. An aggrieved party can file a petition for judicial review with the courts.

### **"About the EMRB"**

The Employee-Management Relations Board (EMRB), a Division of the Department of Business and Industry, fosters the collective bargaining process between local governments and their employee organizations (i.e., unions), provides support in the process, and resolves disputes between local governments, employee organizations, and individual employees as they arise.